

Ashley M. Gjovik, JD
Pro Se Plaintiff

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

ASHLEY GJOVIK, an individual,

Plaintiff,

v.

APPLE INC, a corporation,

Defendant.

Case No. 3:23-cv-04597-EMC

Judge: Honorable Edward M. Chen

Case Filed: September 7 2023

**PLAINTIFF'S NOTICE OF INTENT
TO FILE REPLY TO APPLE'S
OPPOSITION TO MOTION FOR
JUDICIAL NOTICE**

Hearing: February 15 2024

Reply ETA: January 26 2024 (though not
required because Apple's Opposition was
11 days late).

**PLAINTIFF'S NOTICE OF INTENT
TO FILE OPPOSITION TO
DEFENDANT'S PARTIAL MOTION
TO DISMISS & MOTION TO STRIKE**

Hearing: February 29 2024

Opposition Due: February 1 2024

NOTICE

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2 1. Plaintiff (Ashley Gjovik) provided Defendant (Apple Inc) a written update on
3 December 22 2023 that she would file a Motion for Judicial Notice. Plaintiff then filed a Motion
4 for Judicial Notice on December 25 2023 (Docket #35) and then also an addendum of additional
5 exhibits but no change to legal arguments on January 2 2024, noting the Motion will now apply
6 to Gjovik's Second Amended Complaint and Apple's future Motions (Docket #37). Any
7 opposition to Plaintiff's Motion for Judicial Notice was due within 14 days on January 8 2024.
8 The Hearing for the Motion for Judicial Notice was and is scheduled for February 15 2024.
9 (Docket #40-41).

10 2. Despite no requests for extension, Defendant instead just submitted its opposition
11 today, January 19 2024, eleven days past the court's deadline (Docket #43).¹ Defendant also
12 unilaterally and inappropriately requests the hearing for the Motion for Judicial Notice be
13 cancelled. Plaintiff was not consulted about any extension for an Opposition to Plaintiff's
14 Motion for Judicial Notice, nor did Plaintiff offer Defendant any extension, nor did Plaintiff
15 agree to cancellation of the hearing. Defendant missed their deadline for opposition and thus
16 their opposition should be disregarded, However, in addition, Plaintiff, also submits this Notice
17 of Intent to file a Reply to Apple's Opposition to a Motion for Judicial Notice within 7 days
18 under Local Civil Rule 8.3(c) in preparation for the February 15 2024 hearing.

19 3. On January 18 2024, Defendant filed a revised Motion to Dismiss (Docket #41)
20 based on Gjovik's Second Amended Complaint (Docket #32). The latest Motion to Dismiss now
21 only attempts to dismiss seven of Plaintiff's twelve claims.² Gjovik submits this Notice of Intent
22 to file an Opposition to Apple's Motion to Dismiss within 14 days of January 18 2024, per Local
23

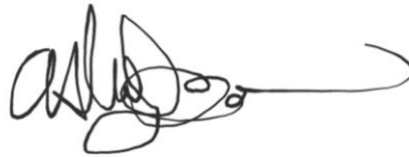
24 ¹ See Local Civil Rule 7.3(a) stating "*The opposition must be filed and served not more than 14 days*
25 *after the motion was filed.*"

26 ² Note: Defendant's latest Motion to Dismiss on January 18 2024 directly references text within the
27 documents Gjovik filed a Motion for Judicial Notice to add to the court record, while on January 19
28 2024, Defendant concurrently asks the court to dismiss Gjovik's Motion for Judicial Notice
including the records which are the very documents Apple cites as evidence, even citing the Docket
for the Motion for Judicial Notice, in Defendant's January 18 2024 Motion to Dismiss.

1 Civil Rule 7-3(a).

2 4. On January 18 2024, Defendant also filed a Motion Strike “hundreds of allegations”
3 from Plaintiff’s Complaint, including facts and exhibits which apply to causes of action that
4 Apple is not even trying to dismiss and which are critical to those legal claims, all of Gjovik’s
5 footnotes (which include pin citations to the legal authority for Gjovik’s claims and provide
6 attributions to quotations from Judges and politicians), as well as Judge Chen’s Fraud worksheet
7 noted in your Honor’s Standing Order #10. (Docket #42). Gjovik submits this Notice of Intent to
8 file an Opposition to Apple’s Motion to Strike within 14 days of January 18 2024, per Local
9 Civil Rule 7-3(a).

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11
12 Respectfully submitted,

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14 

15 By _____

16 Ashley M. Gjovik, J.D.

17 *Pro Se Plaintiff*

18 Dated: January 19 2024